

REMARKS

Claims 1-12, 14-23, and 25-33 are pending in the application and are currently under appeal. Applicants hereby withdraw the appeal without prejudice and submit the present amendment as part of a Request for Continued Examination in response to a Notice of Appeal filed on November 27, 2002.

The Notice of Appeal was filed in response to a final Office Action mailed on May 29, 2002. In the final Office Action, a defect in the declaration was noted. Further, the drawings were objected to under 37 C.F.R. § 1.83(a). Claims 13, 24, 34, and 35 were rejected under 35 U.S.C. § 112, first paragraph. Claims 13, 21, 24, 32, 34, and 35 were rejected under 35 U.S.C. § 112, second paragraph. Independent Claims 1, 14, and 25, as well as certain dependent claims stemming therefrom, stand rejected under 35 U.S.C. § 103(a). Claims 1, 10, 14, 21, 25, and 32 have been amended above to clarify the invention. In view of the above amendments and the remarks set forth below, applicants respectfully request reconsideration and submit that all claims are now in condition for allowance.

Defective Oath/Declaration

The Office Action sets forth the requirement for a new oath or declaration in compliance with 37 C.F.R. § 1.67(a) because the original was deemed defective due to a non-initialed alteration concerning the residence of Mr. Stagi. Applicants acknowledge with regret this error and will submit a corrected oath.

Objections to the Drawings

The drawings stand objected to under 37 C.F.R. § 1.83(a). This objection relates to Claims 13, 24, 34, and 35. Applicants respectfully note that each of the foregoing claims were canceled in an Office Action response mailed on April 10, 2002. Accordingly, applicants respectfully traverse this objection.

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Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 13, 24, 34, and 35 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention. Once again, applicants respectfully note that each of the foregoing claims were canceled in an Office Action response mailed on April 10, 2002. Accordingly, applicants respectfully traverse the foregoing rejection.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 13, 21, 24, 32, 34, and 35 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. With respect to Claims 13, 24, 34, and 35, applicants note that the foregoing claims have been canceled in the April 10, 2002, Response to Office Action. Claims 21 and 32 have been amended above. Accordingly, applicants respectfully submit that the foregoing rejections under 35 U.S.C. § 112, second paragraph, have been overcome.

Rejections Under 35 U.S.C. § 103

Independent Claims 1, 14, and 25, as well as certain dependent claims stemming therefrom, stand rejected under 35 U.S.C. § 103(a). Specifically, Claims 1, 2, 10, 12, 14, 21, and 23 stand rejected as being unpatentable over U.S. Patent No. 4,943,685, issued to Reynaert in view of U.S. Patent No. 5,200,234, issued to Bertini. Claims 25 and 32 stand rejected as being unpatentable over U.S. Patent No. 4,503,283, issued Hancock et al. in view of U.S. Patent No. 4,621,168, issued to Bryant et al. and Bertini. Once again, applicants respectfully note that certain other dependent claims have been rejected under 35 U.S.C. § 103(a). Applicants

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respectfully disagree with each of the rejections set forth in the final Office Action for at least the following reasons.

First, applicants respectfully note that none of the cited references, whether taken individually or in hypothetical combination, teach or suggest all of the claim limitations as now set forth in Claims 1, 14, and 25. As set forth in M.P.E.P. § 2143.03, to "establish *prima facie* obviousness of a claimed invention, *all* the claim limitations must be taught or suggested by the prior art." *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974) (emphasis added). Applicants respectfully note that the foregoing combination of references fails to teach or suggest a connector for a first information transmitting cable that includes a first conduit having open ends, at least one open end of the first conduit adapted to receive the interior end of the first information transmitting cable *to electrically connect the first information transmitting cable with an insulation sleeve*, as now generally set forth in amended Claim 1. Further, none of the proposed combination of references teach or suggest a connector for repairing and connecting at least one section of a first electrical cable that includes a sleeve having first and second open ends, wherein *either one of the first or second open ends electrically interconnect a portion of the first electrical cable with an insulation sleeve*, as now generally set forth in amended Claim 14. Finally, the proposed combination of references as set forth in the final Office Action failed to teach or suggest a connector that includes a sleeve having first and second ends, wherein the second end of the sleeve *maintains contact between the central conductor portion and an insulation sleeve*, as now generally set forth in amended Claim 25.

Applicants further note that there must be a basis in the art for combining or modifying the references. Specifically, M.P.E.P. § 2143.01 provides that the mere fact that references "can be combined or modified does not render the resultant combination obvious *unless* the prior art also suggests the desirability of the combination." *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d

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1430 (Fed. Cir. 1990) (emphasis added). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention "absence some teaching suggestion or incentive supporting the combination." *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 21 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Thus, there must be some teaching, suggestion, or incentive in the prior art for combining or modifying the references. Applicants respectfully submit that there is no such teaching, suggestion or incentive within the cited references.

Once again, applicants respectfully submit that a hypothetical combination of the foregoing references as set forth in the final Office Action fails to teach or suggest (1) a first conduit to electrically connect a first information transmitting cable with an insulation sleeve (as set forth in amended Claim 1); (2) a sleeve having first and second open ends, wherein either one of the first or second open ends electrically interconnecting a portion of the first electrical cable with an insulation sleeve (as generally set forth in amended Claim 14); (3) or a sleeve having first and second ends to maintain contact between the central conductor portion and an insulation sleeve (as generally set forth in amended Claim 25). Accordingly, for at least the reasons set forth above, applicants respectfully submit that the foregoing rejections under 35 U.S.C. § 103(a) have been overcome.

Applicants respectfully submit that the dependent claims depending either from Claims 1, 14, or 25 are thus allowable for the reasons discussed above. In addition, the dependent claims have further limitations that distinguish over the cited references, whether taken individually or in hypothetical combination. Therefore, applicants respectfully submit that the dependent claims of the present application should also now be found allowable.

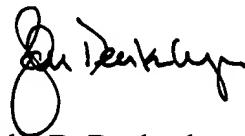
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## CONCLUSION

In light of the foregoing amendments and remarks, applicants respectfully submit that the present application is now in condition for allowance. Applicants respectfully request reconsideration and allowance of all claims. The Examiner is invited to telephone the undersigned if there are any remaining issues.

Respectfully submitted,

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